



January 28, 2005

SENATE BILL No. 282

DIGEST OF SB 282 (Updated January 26, 2005 3:05 pm - DI 110)

Citations Affected: IC 7.1-3.

Synopsis: Municipal riverfront development projects. Allows a municipal riverfront development project to be located in certain community revitalization enhancement districts.

Effective: Upon passage.

Long

January 6, 2005, read first time and referred to Committee on Commerce and Transportation.
January 27, 2005, reported favorably — Do Pass.

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SB 282—LS 7130/DI 51+



January 28, 2005

First Regular Session 114th General Assembly (2005)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2004 Regular Session of the General Assembly.

SENATE BILL No. 282

A BILL FOR AN ACT to amend the Indiana Code concerning alcohol and tobacco.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 7.1-3-20-16.1 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 16.1. (a) This
3 section applies to a municipal riverfront development project
4 authorized under section 16(d) of this chapter.

5 (b) In order to qualify for a permit, an applicant must demonstrate
6 that the municipal riverfront development project area where the permit
7 is to be located meets the following criteria:

8 (1) The project boundaries must border on at least one (1) side of
9 a river.

10 (2) The proposed permit premises may not be located more than:

11 (A) one thousand five hundred (1,500) feet; or

12 (B) three (3) city blocks;

13 from the river, whichever is greater. However, if the area adjacent
14 to the river is incapable of being developed because the area is in
15 a floodplain, or for any other reason that prevents the area from
16 being developed, the distances described in clauses (A) and (B)
17 are measured from the city blocks located nearest to the river that

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are capable of being developed.

(3) The permit premises are located within:

(A) an economic development area, a blighted area, an urban renewal area, or a redevelopment area established under IC 36-7-14, IC 36-7-14.5, or IC 36-7-15.1; or

(B) an economic development project district under IC 36-7-15.2 or IC 36-7-26; or

(C) a community revitalization enhancement district designated under IC 36-7-13-12.1.

(4) The project must be funded in part with state and city money.

(5) The boundaries of the municipal riverfront development project must be designated by ordinance or resolution by the legislative body (as defined in IC 36-1-2-9(3) or IC 36-1-2-9(4)) of the city in which the project is located.

(c) Proof of compliance with subsection (b) must consist of the following documentation, which is required at the time the permit application is filed with the commission:

(1) A detailed map showing:

(A) definite boundaries of the entire municipal riverfront development project; and

(B) the location of the proposed permit within the project.

(2) A copy of the local ordinance or resolution of the local governing body authorizing the municipal riverfront development project.

(3) Detailed information concerning the expenditures of state and city funds on the municipal riverfront development project.

(d) Notwithstanding subsection (b), the commission may issue a permit for premises, the location of which does not meet the criteria of subsection (b)(2), if all the following requirements are met:

(1) All other requirements of this section and section 16(d) of this chapter are satisfied.

(2) The proposed premises is located not more than:

(A) three thousand (3,000) feet; or

(B) six (6) blocks;

from the river, whichever is greater. However, if the area adjacent to the river is incapable of being developed because the area is in a floodplain, or for any other reason that prevents the area from being developed, the distances described in clauses (A) and (B) are measured from the city blocks located nearest to the river that are capable of being developed.

(3) The permit applicant satisfies the criteria established by the commission by rule adopted under IC 4-22-2. The criteria

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1 established by the commission may require that the proposed
2 premises be located in an area or district set forth in subsection
3 (b)(3).

4 (4) The permit premises may not be located less than two hundred
5 (200) feet from facilities owned by a state educational institution
6 (as defined in IC 20-12-0.5-1).

7 (e) A permit may not be issued if the proposed permit premises is
8 the location of an existing three-way permit subject to IC 7.1-3-22-3.

9 SECTION 2. **An emergency is declared for this act.**

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COMMITTEE REPORT

Madam President: The Senate Committee on Commerce and Transportation, to which was referred Senate Bill No. 282, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill DO PASS.

(Reference is made to Senate Bill 282 as introduced.)

SERVER, Chairperson

Committee Vote: Yeas 9, Nays 0.

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